

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16552 of 2022**

Arising Out of PS. Case No.-746 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

VINOD KUMAR RAY Son of Late Dilip Ray Resident of Village - Bhitwar,
P.S. - Bhabhua, District - Kaimur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Vaishnavi Singh, Advocate

For the Opposite Party/s : Mr. Umesh Lal Verma, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 19-07-2022 Heard learned counsel appearing on behalf of the
petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period
of four weeks from today.

Learned counsel for the petitioner submitted that as
FIR itself was lodged on 19.11.2020, therefore, the custody
period of the petitioner cannot read from 03.10.2020 by any
stretch of imagination and the same may be read as 03.10.2021.

Accordingly, learned counsel for the petitioner is
directed to correct the custody period of the petitioner, during
course of day.

The petitioner seeks bail in connection with Bhabhua
P.S. Case No. 746 of 2020 registered for the offence under
Sections 304(B) and 34 of the Indian Penal Code.



The accused/petitioner is named in the F.I.R. and is in custody since 03.10.2021.

The allegation against the petitioner is to cause death of the daughter of the informant along with other co-accused persons for non-fulfillment of demand of dowry.

Learned counsel appearing on behalf of the petitioner submitted that petitioner is brother-in-law of the deceased and living separately having no connection with the daily affairs of the deceased and her family. It has further been submitted that allegation as regard to demand of dowry is very much general and omnibus in nature against the petitioner. It has further been submitted that petitioner is a man of clean antecedent. While concluding the argument, it has been submitted that investigation has been completed, for which, charge-sheet has already been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, while opposing the prayer of bail, fairly conceded the fact that petitioner is brother-in-law of the deceased.

Considering the facts and circumstances as mentioned above, as petitioner living separately coupled with the fact that charge-sheet has already been submitted, let the petitioner,



above named, is directed to be released on bail in connection with Bhabhua P.S. Case No. 746 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned CJM, Kaimur, Bhabhua, subject to the following conditions:

“(i)Accused/Petitioner shall cooperate in the trial and shall be physically present on each and every date before the Trial Court till conclusion of the trial and exemption from physical appearance be allowed by the Trial Court, only on medical ground of the petitioner duly supported by the documents.

(ii) That one of the bailors shall be Gaurav Kumar, who is the brother-in-law (bahnoi) of the petitioner and deponent of the present bail petition.”

(Chandra Shekhar Jha, J)

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